

Message Text

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46

ACTION SCS-03

INFO OCT-01 ARA-06 ISO-00 SCA-01 OC-05 CCO-00 H-02 L-03

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 4371

LIMITED OFFICIAL USE MEXICO 5116

E.O. 11652: N/A

TAGS: CASC, ACOM, MX

SUBJECT: USE OF POUCH AND OTHER POST MAIL FACILITIES FOR
AMCIT PRISONER PACKAGE AND LETTER MAIL

REF: MATAMOROS 0013, MEXICO 1098 AND STATE 021428

1. THE ARRIVAL AT THE EMBASSY OF A PACKAGE OF WHAT APPEARED TO BE COCAINE, ADDRESSED FROM THE U.S. TO A PRISONER AT LECUMBERRI, PROMPTED THE EMBASSY TO REEXAMINE ITS POLICY REGARDING THE USE OF POST MAIL FACILITIES FOR LETTER AND PACKAGE MAIL FOR AMCIT PRISONERS IN MEXICAN JAILS. MATAMOROS ALSO RAISED QUESTION IN VIEW OF LOCAL PRESS STORIES RE ATTEMPTS TO SMUGGLE DRUGS INTO LOCAL JAILS THERE.

2. IN THE PAST, THE EMBASSY, LIKE SOME OTHER POSTS, HAS RECEIVED AND DELIVERED (AFTER EXAMINATION BY THE EMBASSY AND PRISON AUTHORITIES) PACKAGES FROM FRIENDS AND RELATIVES IN THE U.S. TO AMCIT PRISONERS IN MEXICAN JAILS. GENERALLY, THE PACKAGES CONTAIN SUCH ITEMS AS CLOTHING, TOOTHPASTE, ARTISAN TOOLS, OR OTHER ITEMS THAT ARE EITHER UNAVAILABLE IN MEXICO OR EXTREMELY EXPENSIVE HERE. THESE PACKAGES ARE VERY IMPORTANT TO THE PRISONERS FROM A MORALE POINT OF VIEW, AND IT SHOULD BE NOTED THAT PACKAGES SENT TO PRISONERS THROUGH INTERNATIONAL MAIL FACILITIES ARE SUBJECT TO SUBSTANTIAL MEXICAN CUSTOMS DUTY AND OFTEN DO NOT EVEN REACH THE INTENDED RECIPIENT.

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3. SIMILARLY, THE EMBASSY, AND SEVERAL POSTS, RECEIVE AND DELIVER TO PRISONERS LETTERS FROM THE U.S.

4. A SURVEY OF CONSTITUENT POSTS INDICATES AND INCONSISTENT POLICY WITH A FEW BORDER POSTS RECEIVING AND DELIVERING PACKAGES OUTSIDE OF MEXICAN CUSTOMS AND MOST POSTS RECEIVING AND DELIVERING LETTER BUT NOT PACKAGE MAIL.

5. THE EMBASSY ASSUMES THAT THE USE OF POUCH FACILITIES OR, IN THE CASE OF BORDER POSTS, USE OF STATE-SIDE P.O. BOX FACILITIES AND SUBSEQUENT TRANSFER ACROSS THE BORDER BY POST VEHICLE OF MAIL DESTINED FOR AMCIT PRISONERS IN MEXICO IS A VIOLATION OF MEXICAN CUSTOMS LAW AND CONTRARY TO TREATY PROVISIONS AND DEPARTMENT REGULATIONS REGARDING THE USE OF POST POUCH AND MAIL FACILITIES.

6. IN VIEW OF THE ABOVE, THE EMBASSY IS NOT ONLY FOLLOWING THE POLICY, AS REFLECTED IN REF B, OF "ACTIVELY DISCOURAGING" THE SENDING OF PACKAGES FOR AMCIT PRISONERS THROUGH POST FACILITIES BUT IS NOW RETURNING TO THE SENDER ANY PACKAGES THUS RECEIVED. BOTH PRISONERS AND RELATIVES AND FRIENDS OF PRISONERS IN THE EMBASSY'S DISTRICT HAVE BEEN ADVISED OF THIS POLICY.

7. PREDICTABLY, HOWEVER, THE EMBASSY IS NOW RECEIVING COMMUNICATIONS, BOTH PLAINTIVE AND ANGRY, FROM FAMILIES, ETC. AND FROM CONGRESSIONAL SOURCES AS WELL AS THE PRISONERS THEMSELVES PROTESTING THE TERMINATION OF THIS SERVICE.

8. ALTHOUGH RECOGNIZING THE IMPORTANCE THE PRISONERS, AT LEAST THOSE IN THE EMBASSY'S DISTRICT, ATTACH TO RECEIVING PACKAGES THROUGH THE POST'S FACILITIES, THE EMBASSY CONSIDERS THE POTENTIAL FOR ABUSE SUBSTANTIAL AND, ASSUMING THE EMBASSY'S LEGAL READING IS CORRECT, IMPROPER. ACCORDINGLY, THE EMBASSY RECOMMENDS THAT THE USE OF POST FACILITIES TO DELIVER PACKAGES TO AMCIT PRISONERS IN MEXICAN JAILS BE DISCONTINUED BY ALL POSTS.

9. WITH RESPECT TO LETTER MAIL, THE LEGAL SITUATION APPEARS LESS CLEAR AND THE POTENTIAL FOR ABUSE MINIMAL. ACCORDINGLY, LIMITED OFFICIAL USE

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THE EMBASSY RECOMMENDS THAT POSTS IN MEXICO CONTINUE TO RECEIVE AND DLIVER TO PRISONERS AND RECEIVE FROM PRISONERS FOR POSTING LETTER MAIL, SUBJECT TO ANY PRISON REGULATIONS.

10. IN THESE CIRCUMSTANCES, AND BEFORE SENDING INSTRUCTIONS TO THE OTHER POSTS IN MEXICO, WE WOULD APPRECIATE AN OPINION FROM THE DEPARTMENT ON THIS ISSUE.
THOMPSON

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Message Attributes

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Draft Date: 22 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: buchant0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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Margaret P. Grafeld
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